

which will not be repeated here in order to not unduly lengthen the record in this application. It is sufficient to repeat that the examiner's interpretation of Gaertner has been proven to be incorrect.

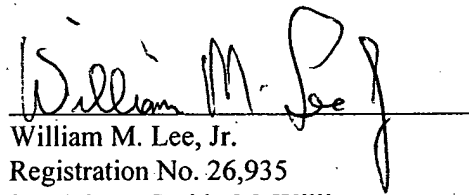
The new reference, U.S. 4,167,871 to Shauger et al., is a non-relevant reference. It does not deal with testing, i.e. it solves another problem. It does not deal with determining a current or a current rise, nor does it teach a comparison between a current rise parameter before and after a current reversal. In fact, the information in the rise period of the current, which is important in the present invention, is fully skipped and not used as can be seen in the curves of Figures 2C and 2D and column 6, lines 64 – 66.

The examiner apparently has cited Shauger because of the comparator 40 in Figure 1. However, a comparator is not part of claim 18, so the applicability of Shauger is certainly unclear. Furthermore, the examiner, in the comments in the office action, does not respond to the applicant's July 26, 2002 arguments at all. It is submitted that Gaertner has been clearly distinguished, and Shauger is an inappropriate reference, and the claims remain allowable over the prior art, even given the new grounds for rejection.

Reconsideration is therefore requested, and in lieu of more pertinent prior art, allowance of the application is urged.

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Respectfully submitted,



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